

**Date:** June 1, 2004  
**To:** Court of Appeals Judges, Director of State Courts, Staff Counsel, Clerk's Office Staff  
**From:** Cornelia G. Clark, Clerk  
**Re:** COURT OF APPEALS MONTHLY STATISTICAL REPORT - MAY

Cumulative: January 1, 2004 through May 31, 2004

APPELLATE DISTRICT	I	II	III	IV	TOTAL
<b>Cases Carried Over</b>					
<b><u>from December 31</u></b>	<u>631</u>	<u>506</u>	<u>339</u>	<u>522</u>	<u>1998</u>
Civil	248	276	197	322	1043
Criminal	383	230	142	200	955
<b><u>Cases Filed</u></b>	<u>425</u>	<u>330</u>	<u>302</u>	<u>356</u>	<u>1413</u>
Civil	192	173	152	208	725
Criminal	233	157	150	148	688
<b><u>Cases Docketed</u></b>	<u>1056</u>	<u>836</u>	<u>641</u>	<u>878</u>	<u>3411</u>
Civil	440	449	349	530	1768
Criminal	616	387	292	348	1643
<b><u>Cases Reinstated</u></b>	<u>5</u>	<u>5</u>	<u>2</u>	<u>13</u>	<u>25</u>
Civil	5	4	1	8	17
Criminal	0	1	1	5	8
<b><u>Cases Terminated*</u></b>	<u>309</u>	<u>355</u>	<u>297</u>	<u>350</u>	<u>1311</u>
Opinion-Civil	53	66	74	104	297
Opinion-Criminal	<u>28</u>	<u>44</u>	<u>34</u>	<u>47</u>	<u>153</u>
<b>Sub-Total</b>	81	110	108	151	450
Sum.Disp.-Civil	37	35	29	19	120
Sum.Disp.-Criminal	<u>66</u>	<u>86</u>	<u>48</u>	<u>47</u>	<u>247</u>
<b>Sub-Total</b>	103	121	77	66	367
Memo Opinion-Civil	64	54	51	80	249
Memo Opinion-Criminal	<u>34</u>	<u>35</u>	<u>36</u>	<u>25</u>	<u>130</u>
<b>Sub-Total</b>	98	89	87	105	379
Other-Civil	20	23	21	21	85
Other-Criminal	<u>7</u>	<u>12</u>	<u>4</u>	<u>7</u>	<u>30</u>
<b>Sub-Total</b>	27	35	25	28	115
<b><u>Correction for Error</u></b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>-1</u>	<u>-1</u>
Civil	+1	+3	+2	+2	+8
Criminal	-1	-3	-2	-3	-9
<b><u>CASES PENDING</u></b>	<u>722</u>	<u>494</u>	<u>356</u>	<u>552</u>	<u>2124</u>
CIVIL	264	279	183	316	1042
CRIMINAL	458	215	173	236	1082

\*Terminations are adjusted to reflect dispositions by panels assigned to cases filed in other districts and cover the "number of cases" terminated.

## CASE ACTIVITY DURING MONTH OF MAY:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
<b>Cases Filed</b>	<u>66</u>	<u>54</u>	<u>53</u>	<u>60</u>	<u>233</u>
Civil	26	30	27	36	119
Criminal	40	24	26	24	114
<b>Cases Terminated</b>	<u>50</u>	<u>66</u>	<u>61</u>	<u>52</u>	<u>229</u>
Opinion-Civil	9	10	11	12	42
Opinion-Criminal	7	8	13	8	36
1-3/4, 2-1/4					
Sum.Disp.-Civil	6	10	1	6	23
Sum.Disp.-Criminal	5	19	9	5	38
1-4/2					
Memo Opinion-Civil	9	8	14	14	45
Memo Opinion-Crim.	9	6	8	3	26
3-1/3					
Other-Civil	4	3	5	2	14
Other-Criminal	1	2	0	2	5
<b>Cases Reinstated</b>	<u>1</u>	<u>1</u>	<u>0</u>	<u>2</u>	<u>4</u>
Civil	0	1	0	1	2
Criminal	1	0	0	1	2
<b>Correction for Error</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Civil	0	0	0	0	0
Criminal	0	0	0	0	0
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<b>Notices of Appeal Filed:</b>	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>TOTAL</b>
<b>One-Judge Appeals:</b>	<u>8</u>	<u>10</u>	<u>7</u>	<u>8</u>	<u>33</u>
Civil	5	7	5	4	21
Criminal	3	3	2	4	12
<b>Three-Judge Appeals:</b>	<u>51</u>	<u>36</u>	<u>41</u>	<u>43</u>	<u>171</u>
Civil	15	19	19	27	80
Criminal	36	17	22	16	91
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<b>Sup. Writs Filed:</b>	5	4	0	5	14
<b>Sup. Writs Terminated:</b>	<u>2</u>	<u>1</u>	<u>1</u>	<u>3</u>	<u>7</u>
Granted	0	0	0	0	0
Denied, Dism'd, Other	2	1	1	3	7
<b>Sup. Writs Pending:</b>	13	10	2	11	36
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<b>Leave to Appeal Filed:</b>	2	4	6	8	20
<b>Leave to Appeal Term'd:</b>	<u>1</u>	<u>7</u>	<u>5</u>	<u>5</u>	<u>18</u>
Granted	0	1	1	3	5
Denied, Dism'd, Other	1	6	4	2	13
<b>Leave to Appeal Pending:</b>	5	4	8	8	25

## ADDITIONAL MATTERS DURING MONTH OF MAY:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
<b>Motions Filed:</b>					
Numbered Cases	148	63	50	81	342
Extensions of Time	33	55	24	35	147
Unnumbered Cases	<u>96</u>	<u>69</u>	<u>31</u>	<u>49</u>	<u>245</u>
TOTAL MOTIONS FILED	277	187	105	165	734
<b>Motions Terminated:</b>					
Numbered Cases	171	61	44	82	358
Extensions of Time	32	50	25	38	145
Unnumbered Cases	<u>91</u>	<u>75</u>	<u>30</u>	<u>47</u>	<u>243</u>
TOTAL MOTIONS TERM'D	294	186	99	167	746
<b>Motions Pending:</b>					
Numbered Cases	63	38	30	84	215
Extensions of Time	7	8	1	6	22
Unnumbered Cases	<u>22</u>	<u>10</u>	<u>8</u>	<u>12</u>	<u>52</u>
TOTAL MOTIONS PENDING	92	56	39	102	289
<b>Opins. Circulating</b>	24	18	4	13	59
<b>Opins. Approved but not Released</b>	2	10	6	0	18
	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>TOTAL</b>
<b>Pet. for Bypass Filed</b>	<u>3</u>	<u>0</u>	<u>3</u>	<u>2</u>	<u>8</u>
Civil	2	0	3	2	7
Criminal	1	0	0	0	1
<b>Certifications Filed</b>	<u>0</u>	<u>1</u>	<u>2</u>	<u>1</u>	<u>4</u>
Civil	0	1	2	1	4
Criminal	0	0	0	0	0
<b>Pet. for Review Filed</b>	<u>19</u>	<u>14</u>	<u>17</u>	<u>21</u>	<u>71</u>
Civil	10	6	11	17	44
Criminal	9	8	6	4	27

## Status of Pending Cases as of May 31, 2004:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Awaiting Record	<u>200</u>	<u>75</u>	<u>47</u>	<u>68</u>	<u>390</u>
Civil	62	49	27	39	177
Criminal	138	26	20	29	213
Applt. Brief Due	<u>81</u>	<u>79</u>	<u>59</u>	<u>68</u>	<u>287</u>
Civil	51	46	39	44	180
Criminal	30	33	20	24	107
				5-4/1, 1-4/2	
Applt. Brief Overdue	<u>1</u>	<u>1</u>	<u>2</u>	<u>0</u>	<u>4</u>
Civil	0	1	2	0	3
Criminal	1	0	0	0	1
Respt. Brief Due	<u>40</u>	<u>35</u>	<u>36</u>	<u>36</u>	<u>147</u>
Civil	19	15	12	25	71
Criminal	21	20	24	11	76
			1-3/4		
Respt. Brief Overdue	<u>0</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>1</u>
Civil	0	1	0	0	1
Criminal	0	0	0	0	0
Other Brief Due	<u>0</u>	<u>1</u>	<u>4</u>	<u>0</u>	<u>5</u>
Civil	0	1	4	0	5
Criminal	0	0	0	0	0
Reply Brief Due	<u>17</u>	<u>26</u>	<u>14</u>	<u>23</u>	<u>80</u>
Civil	8	21	9	16	54
Criminal	9	5	5	7	26
Cases W/Motions or Wrts Pending	<u>56</u>	<u>44</u>	<u>35</u>	<u>74</u>	<u>209</u>
Civil	33	22	23	51	129
Criminal	23	22	12	23	80
			1-3/4		
Ready for Screening	<u>55</u>	<u>82</u>	<u>29</u>	<u>55</u>	<u>221</u>
Civil	29	54	25	38	146
Criminal	26	28	4	17	75
			2-2/4		
Assigned for Oral Arg.	<u>4</u>	<u>2</u>	<u>0</u>	<u>0</u>	<u>6</u>
Civil	4	2	0	0	6
Criminal	0	0	0	0	0
Under Submission	<u>209</u>	<u>102</u>	<u>73</u>	<u>192</u>	<u>576</u>
Civil	50	49	29	90	218
Civil/FT	0	4	2	2	8
Criminal	159	49	42	100	350
Criminal/FT	0	0	0	0	0
			8-2/4	5-3/4	
			2-2/4	3-3/4	2-4/1, 9-4/2
			1-2/4		
No Merit & Awaiting NM	<u>54</u>	<u>32</u>	<u>45</u>	<u>24</u>	<u>155</u>
Civil	5	3	3	2	13
Criminal	49	29	42	22	142
HOLD Status	<u>5</u>	<u>14</u>	<u>11</u>	<u>12</u>	<u>42</u>
Civil	3	11	7	9	30
Criminal	2	3	4	3	12
			1-2/4		
<b>TOTAL CASES PENDING</b>	<u>722</u>	<u>494</u>	<u>356</u>	<u>552</u>	<u>2124</u>
Civil	264	279	183	316	1042
Criminal	458	215	173	236	1082

## **Wisconsin Court of Appeals**

### **Explanation of Termination Categories**

#### **OPINIONS**

Includes three-judge and one-judge authored opinions and per curiam opinions. All per curiam opinions are assigned to a supervising judge who has the responsibility for approval of the final draft of the opinion after circulation to the panel.

#### **SUMMARY DISPOSITIONS**

Includes opinions issued in the form of a court order after the court has reviewed the briefs and record, and following a screening and decision conference(s). All dispositions in this category are assigned to a supervising judge who is responsible for approval of the final draft of the opinion after circulation to the panel.

#### **MEMO OPINIONS**

Includes opinions issued in the form of a court order prior to a screening and decision conference(s). Examples of memo opinions are: jurisdictional terminations; petitions for writs denied or granted if the order terminates the action; petitions for leave to appeal that are denied; summary disposition of unscreened cases – usually upon a motion; motions to dismiss on the merits that are granted; transfers to circuit court; any other miscellaneous termination of an appeal in which judicial time is expended and a full explication of reasoning is set forth.

#### **OTHER**

Includes miscellaneous orders terminating cases that are issued by the Clerk's Office. Examples of miscellaneous orders are: voluntary dismissals; stipulations to dismiss; failure of an appellant to submit filing fee information.

**Please Note:** Case filings are counted according to the district of origin and tracked through the appellate process in the filing district. Terminations, however, are counted in the district that issued the opinion. For example, a case filed in District IV, but transferred to District III, will be counted as a pending case in District IV until the opinion is issued when adjustments will be made to reflect the termination by District III. In this example, the District III termination will result in one less case pending in District IV.

Page 2 of the Monthly Statistical Report reflects how many cases terminated by a particular district are transfer cases. Page 4 of the report reflects the current status of transfer cases.